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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/932,906	08/20/2001	Shinobu Izumi	450100-03367	8080

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FROMMER LAWRENCE & HAUG  
745 FIFTH AVENUE- 10TH FL.  
NEW YORK, NY 10151

EXAMINER
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HASHEM, LISA

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 06/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/932,906	<b>Applicant(s)</b> IZUMI, SHINOBU	
	<b>Examiner</b> Lisa Hashem	<b>Art Unit</b> 2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**FINAL DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,550,754 by McNelley et al, hereinafter McNelley, in further view of U.S. Patent No. 5,802,467 by Salazer et al, hereinafter Salazer.

Regarding claim 1, McNelley discloses a radio communication apparatus (see Figure 8; column 11, line 13 – column 12, line 8; column 13, lines 10-67), comprising: a transmission section for transmitting an information signal (column 7, line 39 – column 8, line 9; column 13, lines 10-22); and a reception section for receiving the information signal transmitted from said transmission section (column 6, lines 35-58); said transmission section and said reception section being attachable to each other and being detachable from each other (column 14, lines 16-37); wherein said transmission section further comprises: a transmitter for modulating the information signal to generate a high frequency signal (column 7, line 61 – column 8, line 9); a transmission antenna for wirelessly transmitting the high frequency signal (Figure 8, 194); and an output terminal for outputting the information signal to said reception section via a non-wireless coupling (column 8, lines 10-18; column 14, lines 31-37); said reception section further comprises: a reception antenna for receiving the high frequency signal transmitted from said transmission antenna (Figure 8, 196); a receiver for demodulating the high frequency signal

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received by said reception antenna to generate an information signal (column 8, lines 1-9); and an input terminal to which the information signal outputted from said output terminal of said transmission section is inputted (column 13, lines 10-67); at least one of said transmission section and said reception section further comprising: a sensor for sensing a condition between said transmission section and said reception section (column 8, lines 1-4); and selectively switching between wireless transmission and non-wireless transmission when communicating said information signal from said transmission section to said reception section (column 14, lines 31-37).

McNelley does not disclose a sensor for sensing an attached condition between said transmission section and said reception section, and a switch for selectively switching, in accordance with the sensed condition of attachment between the transmission section and the reception section, between wireless transmission and non-wireless transmission.

Salazer discloses a radio communication apparatus (see Abstract; see Figure 1b), comprising: a transmission section for transmitting an information signal (column 6, lines 31-38); and a reception section for receiving the information signal transmitted from said transmission section (column 6, lines 39-51); said transmission section and said reception section being attachable to each other and being detachable from each other (see Figure 1b; column 7, lines 14-19; column 22, lines 3-19); wherein said transmission section further comprises: a transmitter for modulating the information signal to generate a high frequency signal (Figure 3, 50); a transmission antenna for wirelessly transmitting the high frequency signal (Figure 3, 58); and an output terminal for outputting the information signal to said reception section via a non-wireless coupling (via the base station (Fig. 1b)) (column 1, lines 55-61; column 3, lines 2-14;

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column 3, line 61 – column 4, line 17; column 6, lines 39-51); said reception section further comprises: a reception antenna for inherently receiving the high frequency signal transmitted from said transmission antenna, e.g. if the reception section is a TV or another external apparatus via a base station (column 6, lines 48-57; column 22, lines 36-51; column 25, lines 30-32); a receiver for demodulating the high frequency signal received by said reception antenna to generate an information signal; and an input terminal to which the information signal outputted from said output terminal of said transmission section is inputted (column 6, lines 39-51; column 7, line 34 – column 8, line 16); at least one of said transmission section and said reception section further comprising: a sensor for sensing an attached condition between said transmission section and said reception section (via the base station) (column 22, line 52 – column 24, line 36); and a switch or microprocessor for selectively switching, in accordance with the sensed condition of attachment between the transmission section and the reception section (via the base station), between wireless transmission and non-wireless transmission (wherein the base station is coupled to a telephone line and an AC power line) (column 5, lines 10-14; column 6, lines 48-62; column 22, lines 36-51; column 24, line 63 – column 25, line 32; column 25, lines 39-50).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the apparatus of McNelley to include a sensor and switch as taught by Salazer. One of ordinary skill in the art would have been lead to make such a modification since the radio communication apparatus can effectively be switched between a wireless transmission and a non-wireless transmission when a sensor senses the condition of attachment between the transmission section and the reception section.

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Regarding claim 2, the radio communication apparatus according to claim 1, wherein McNelley further discloses said output terminal of said transmission section outputs the high frequency signal (column 13, lines 10-27), and wherein said input terminal of said reception section receives the high frequency signal outputted from said output terminal of said transmission section (column 13, lines 10-67).

Regarding claim 3, the radio communication apparatus according to claim 1, wherein McNelley further discloses said transmission section further comprises: a recorder/reproducer for recording and/or reproducing image information and/or sound information onto and/or from an information recording medium, and transmits the image information and/or sound information to said reception section as at least a portion of the information signal, and said reception section further comprises: a reproducer for reproducing the image information and/or sound information included in the received information signal (column 13, lines 10-67; column 20, line 21 – column 21, line 40).

Regarding claim 4, the radio communication apparatus according to claim 1, wherein McNelley further discloses said transmission section further comprises: a receiver for receiving image information and/or sound information transmitted from a transmitting station and transmits the image information and/or sound information to said reception section as at least a portion of the information signal (column 13, lines 10-27), and wherein said reception section further comprises: a reproducer for reproducing the image information and/or sound information included in the received information signal (column 13, lines 10-67; column 20, line 21 – column 21, line 40).

Regarding claim 5, please see the rejection of the method in claim 1 above, to reject the

method in claim 5.

Regarding claim 6, the radio communication method according to claim 5, wherein McNelley further discloses said non-wireless terminal (Figure 8, 174) of said transmission section outputs the high frequency signal, and said non-wireless terminal (Figures 13-14) of said reception section receives the high frequency signal outputted from said non-wireless terminal of said transmission section (column 14, lines 31-37; see Figure 8).

Regarding claim 7, a radio communication method according to claim 5, wherein McNelley further discloses, comprising the steps of: recording and/or reproducing, at said transmission section, image information and/or sound information onto and/or from an information recording medium (column 13, lines 10-27); including said image information and/or sound information in said information signal transmitted from said transmission section to said reception section (column 7, line 66 – column 8, line 9); and reproducing, at said reception section, said image information and/or sound information included in said received information signal (column 13, lines 10-67; column 20, line 21 – column 21, line 40).

Regarding claim 8, the radio communication method according to claim 5, wherein McNelley further discloses, comprising the steps of: receiving, at said transmission section, image information and/or sound information transmitted from a transmitting station (column 13, lines 10-27); including said image information and/or sound information in said information signal transmitted from said transmission section to said reception section (column 7, line 66 – column 8, line 9); and reproducing, at said reception section, said image information and/or sound information included in said received information signal (column 13, lines 10-67; column 20, line 21 – column 21, line 40).

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***Response to Arguments***

3. Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

4. Accordingly, this action is **FINAL**.

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- European Patent Application No. 1 083 744 by Izumi discloses a radio transmission apparatus comprising a transmission section and a reception section that are detached from each other
- U.S. Patent No. 5,101,499 by Streck et al disclose a wireless local television transmission system comprising a transmission section and a reception section that are detached from each other

6. Any response to this action should be mailed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Or faxed to:**

(703) 872-9306 (for formal communications intended for entry)

**Or call:**

(571) 272-2600 (for customer service assistance)



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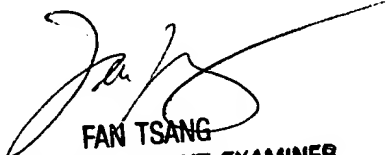
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Hashem whose telephone number is (571) 272-7542. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LH

lh  
June 2, 2005

  
FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600